

**International Trade Administration****[A-201-504]****Porcelain-on-Steel Cooking Ware From Mexico; Amended Final Results of Antidumping Duty Administrative Review in Accordance With Decision Upon Remand**

**AGENCY:** International Trade Administration, Import Administration, Department of Commerce.

**ACTION:** Notice of amendment to final results of antidumping duty administrative review in accordance with decision upon remand.

**SUMMARY:** As a result of a remand from a Binational Panel (the Panel), convened pursuant to the North American Free Trade Agreement (NAFTA), the Department of Commerce (the Department) is amending its final results of administrative review of the antidumping duty order on porcelain-on-steel cooking ware from Mexico, published in the Federal Register on January 9, 1995 (60 FR 6889). The Department has determined, in accordance with the instruction of the Panel, the dumping margin for entries of porcelain-on-steel cooking ware from Mexico made during the period December 1, 1990 through November 30, 1991 to be 9.82 percent.

**EFFECTIVE DATE:** October 11, 1996.

**FOR FURTHER INFORMATION CONTACT:** Lorenza Olivas or Richard Herring, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th & Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482-2786.

**SUPPLEMENTARY INFORMATION:****Background**

On January 9, 1995, the Department published in the Federal Register (60 FR 2378) the final results of its fifth administrative review of the antidumping duty order on porcelain-on-steel cooking ware from Mexico. On February 8, 1995, the Department amended its final results (60 FR 7521). The review covered the period December 1, 1990 through November 30, 1991.

Subsequent to the amended final results, Cinsa, S.A., one of two respondents, challenged the Department's findings and requested that the Panel review the final results of review. Thereafter, the Panel remanded the Department's final results with respect to two issues only. Specifically, the Panel directed the Department (1) to apply the Department's tax-neutral VAT adjustment methodology which was

approved by the Court of Appeals for the Federal Circuit in *Federal Mogul v. United States*, 63 F.3d 1572 (Fed. Cir. 1995) and (2) to either correct Cinsa's clerical error, or allow Cinsa to present data sufficient to allow the Department to correct the clerical error. The Department made the tax-neutral VAT adjustment and recalculated the cost of Item No. 10158, the item affected by the clerical error. The Department submitted its remand determination on June 14, 1996.

On July 19, 1996, the Panel affirmed the remand determination of the Department. As a result, the margin for Cinsa was reduced from 27.96 percent to 9.82 percent.

**Results of Remand****VAT Tax Methodology**

In accordance with the order from the Panel, the Department applied a tax-neutral VAT adjustment methodology. Specifically, the Department added the VAT tax to U.S. price rather than subtracting it from home market price. See *Federal Mogul*, 1572 F.3d at 1577, 1580.

**Clerical Error**

In accordance with the order from the Panel, the Department made a correction to the total cost of Item No. 10158 to account for a clerical error. Although Item No. 10158 was sold in boxes containing two units, Cinsa had reported each box as a single unit. To comply with the remand, the Department has recalculated the cost of Item No. 10158 by dividing the cost of producing such item by two.

As a result of our comparison of U.S. price to foreign market value, we determine that an antidumping margin of 9.82 percent exists for Cinsa for the period December 1, 1990 through November 30, 1991.

The Department will instruct the Customs Service to assess antidumping duties on all appropriate entries. Individual differences between U.S. price and foreign market value may vary from the percentage stated above. The Department will issue appraisal instructions directly to the Customs Service. The Department will also instruct the Customs Service to collect duty deposits of 9.82 percent on all shipments of the subject merchandise manufactured by Cinsa entered, or withdrawn from warehouse, for consumption on or after the publication date of these amended final results of review.

This amendment to the final results of antidumping duty administrative review notice is in accordance with section

751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and § 353.22 of the Department's regulations (19 CFR 353.22 (1989)).

Dated: October 4, 1996.

Robert S. LaRussa,

*Acting Assistant Secretary for Import Administration.*

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**Department of Veterans Affairs Medical Center, et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes**

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

**Docket Number:** 96-078. **Applicant:** Argonne National Laboratory-West, Scoville, ID 83415. **Instrument:** Electron Microscope, Model JEM-2010. **Manufacturer:** JEOL Ltd., Japan. **Intended Use:** See notice at 61 FR 42589, August 16, 1996. **Order Date:** June 12, 1996.

**Docket Number:** 96-081. **Applicant:** Department of Veterans Affairs Medical Center, New York, NY 10010. **Instrument:** Electron Microscope, Model JEM-1010. **Manufacturer:** JEOL Ltd., Japan. **Intended Use:** See notice at 61 FR 42589, August 16, 1996. **Order Date:** May 28, 1996.

**Docket Number:** 96-082. **Applicant:** Florida State University, Tallahassee, FL 32306-3015. **Instrument:** Electron Microscope, Model CM120. **Manufacturer:** Philips, The Netherlands. **Intended Use:** See notice at 61 FR 42590, August 16, 1996. **Order Date:** May 1, 1996.

**Comments:** None received. **Decision:** Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as these instruments are intended to be used, was being manufactured in the United States at the time the instruments were ordered. **Reasons:** Each foreign instrument is a conventional transmission electron microscope (CTEM) and is intended for research or scientific educational uses requiring a CTEM. We know of no CTEM, or any other instrument suited to these purposes, which was being manufactured in the United States either at the time of order of each